

Upon motion, seconded and carried, the meeting was recessed subject to call of the Mayor.

Attest:

Halleie McKeever
City Clerk.

Approved: Tom Miller
Mayor

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 3, 1938.

The meeting was called to order at 10:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C.M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The reading of the Minutes was dispensed with.

Councilman Alford moved that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: Vivien Burnham Falwell, 203 East Seventh Street; Harold Barney Hicks, 5000 Avenue H; Hillery Owens, 1317 Garden Street; Leslie Irvin Plumley, 2221 Haskell Street; Elmer Howard Rankin, 1815 East 18th Street; Bowen Charles Sims, 93 East Avenue; and Miles R. Townsley, 3311 Ash Street. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AMENDING IN THE CERTAIN PARTICULARS HEREINAFTER STATED AN ORDINANCE ENTITLED: "AN ORDINANCE DETERMINING THE NECESSITY FOR LEVYING ASSESSMENTS AGAINST THE VARIOUS PROPERTIES DESCRIBED IN THIS ORDINANCE, AND AGAINST THE RESPECTIVE OWNERS THEREOF, FOR A PART OF THE COSTS OF IMPROVING AND WIDENING A PORTION OF WEST EIGHTH STREET ON THE NORTH SIDE AND SOUTH SIDE FROM THE EAST CURB LINE OF COLORADO STREET TO THE WEST CURB LINE OF CONGRESS AVENUE, AND THE IMPROVEMENT AND WIDENING OF WEST EIGHTH STREET ON THE SOUTH SIDE FROM THE EAST CURB LINE OF LAVACA STREET TO THE WEST CURB LINE OF COLORADO STREET, IN THE CITY OF AUSTIN, TEXAS; AND FIXING A TIME FOR HEARING OF THE OWNERS OF SAID PROPERTIES, OR OF ANY PERSON INTERESTED IN SAID IMPROVEMENT, AS PROVIDED BY THE CHARTER OF THE CITY OF AUSTIN; AND DIRECTING THE CITY MANAGER TO GIVE NOTICE OF SAID HEARING;" WHICH SAID ORDINANCE WAS PASSED OCTOBER 14, 1937, AND IS RECORDED IN ORDINANCE BOOK "K", PAGES 312-314, AND BY THIS AMENDMENT OF SAID ORDINANCE, APPROVING AND ADOPTING THE CITY ENGINEER'S WRITTEN STATEMENT AND REPORT OF THE ESTIMATES OF THE TOTAL COST OF IMPROVEMENTS, COST PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY AND THE TRUE OWNERS THEREOF; ESTIMATED RATES OF COST OF VARIOUS INCIDENTALS AND APPURTENANCES TO BE CONSTRUCTED IN CONNECTION WITH SAID IMPROVEMENTS FOR THE IMPROVEMENT OF WEST EIGHTH STREET IN THE CITY OF AUSTIN WITHIN THE LIMITS DEFINED, AND STATEMENT OF PERSONS, FIRMS, CORPORATIONS OR ESTATES PURPORTING TO OWN PROPERTY ON SAID STREET, NUMBER OF FRONT FEET OWNED BY EACH, DESCRIPTION OF THEIR PROPERTY AND OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COST TO BE PAID BY SAID ABUTTING PROPERTY AND THE TRUE OWNERS THEREOF AND BY THE CITY OF AUSTIN AND DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR SAID PORTION OF SAID COST; ORDERING AND SETTING A HEARING AT 11:00 O'CLOCK A. M. ON FEBRUARY 17, 1938, IN THE COUNCIL CHAMBER OF THE CITY OF AUSTIN IN THE AUSTIN PUBLIC LIBRARY BUILDING FOR THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID PROPERTY OR IN SAID PROCEEDINGS CONCERNING SAID ASSESSMENTS; DIRECTING THE CITY MANAGER TO GIVE NOTICE OF SUCH HEARING AS REQUIRED BY THE CHARTER OF SAID CITY AND THAT THE CITY MANAGER PREPARE AND FILE A NOTICE IN THE NAME OF SAID CITY AMONG THE MORTGAGE RECORDS OF TRAVIS COUNTY, TEXAS, OF THE INTENTION TO LEVY SAID ASSESSMENTS AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and upon motion of Councilman Gillis, seconded by Councilman Alford, the rule was suspended and the ordinance passed to its second reading by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time, and upon motion of Councilman Gillis, seconded by Councilman Alford, the rule was further suspended and the ordinance passed to its third reading, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time, and upon motion of Councilman Gillis,

seconded by Councilman Alford, the ordinance was finally passed, by the following vote: Ayes; Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis introduced the following resolution:

WHEREAS, proposal for bids for the construction of a Service Building for the City of Austin was duly advertised to be received by the City Manager and publicly opened and read at nine o'clock a. m., Wednesday, February 2, 1938, at the City Hall in Austin, Texas; and

WHEREAS, at said time and place said bids were publicly opened and read as specified; and

WHEREAS, after a thorough analysis of all of the bids submitted, it was found that the lowest and best bids were as follows:

R. H. Folmar on General Construction - - - - -	\$33,225
Fox-Schmidt on Heating - - - - -	2,284
" " on Electrical Work - - - - -	1,300
B. E. Howell & Son on Plumbing - - - - -	2,499

and that said bids were regular and proper in all particulars; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the bids of R. H. Folmar on General Construction in the amount of \$33,225, Fox-Schmidt on Heating in the amount of \$2,284 and on Electrical Work in the amount of \$1,300, and B. E. Howell & Son on Plumbing in the amount of \$2,499 be, and the same are hereby, accepted, and the City Manager, on behalf of the City of Austin, is hereby authorized and instructed to enter into contracts with said firms for the respective amounts indicated.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

In accordance with published notice, the public hearing called for this day on the proposal of the City Council to amend the Zoning Ordinance in the following particular was opened:

To amend the USE designation of the following described property so as to change same from "A" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT: Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 21A, Block 1, La Prella Addition; said property lying south of East Live Oak Street and east of the new Post Road and College Avenue.

Mr. Gay Shepherd, Attorney for Mrs. May LaPrelle Price, et al., appeared and declared that his clients had no objections to the proposed change.

There being no protests to the proposed change, Councilman Wolf then moved that the City Attorney be instructed to prepare an ordinance changing the zoning of the property aforesaid from "A" RESIDENCE DISTRICT to "C" Commercial District. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

A petition by Chas. Wendlandt for a change in the zoning of Lots Nos. 1, 2, 3, 4, and 5, Block 14, of the Highlands Addition, from "A" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT, was received, and the same was referred to the Zoning Board of Adjustment for recommendation.

Mr. Henry Wendlandt appeared before the Council in the interest of a wine and beer permit at 1011 East 11th Street. The matter was deferred, pending a report from the Board of Adjustment.

Councilman Gillis introduced the following resolution:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works and the provisions of the City Charter of the City of Austin,

Texas, proposal for bids for various work under PWA Docket Texas-1854 was duly advertised to be received by the City Manager and publicly opened at 9:00 A. M., Thursday, November 18, 1937, at the City Hall in Austin, Texas; and

WHEREAS, at the same time and place said bids were publicly opened and read as specified; and

WHEREAS, after a thorough analysis of all of the bids submitted and the character and quality of each of the items proposed to be furnished by the various bidders, it is found that the lowest and best bids as shown on the detailed schedules attached are as follows:

John D. Dahlich - - - - -	\$2,714.00
The Steck Company - - - - -	3,103.92
Von Boeckmann-Jones Company - - - - -	1,670.27
Miller Blue Print Company - - - - -	1,401.53
J. H. Hixson - - - - -	568.00
Swann-Schulle Furniture Company - - - - -	165.01
Total - - - - -	<u>\$9,622.73</u>

and that said bids were regular and proper in all particulars; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT the bids of John D. Dahlich in the amount of \$2,714.00, The Steck Company in the amount of \$3,103.92, Von Boeckmann-Jones Company in the amount of \$1,670.27, Miller Blue Print Company in the amount of \$1,401.53, J. H. Hixson in the amount of \$568.00, and Swann-Schulle Furniture Company in the amount of \$165.01 for the furnishing of furniture and equipment for the Municipal Building be and the same are hereby accepted, subject to the approval of the Federal Emergency Administration of Public Works, and the City Manager, on behalf of the City of Austin, is hereby authorized and instructed to enter into contracts with said firms for the respective amounts indicated, subject to the approval of the Federal Emergency Administration of Public Works.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford introduced the following resolution:

WHEREAS, J. S. Woodard, owner of property at the northeast corner of West 45th and Guadalupe Streets and which property consists of two tracts of land, viz., the first tract conveyed to J. S. Woodard by Ramsey Austin Nursery by deed dated April 11, 1931, and recorded in Volume 466, page 390, of the Travis County Deed Records, and the second tract conveyed to J. S. Woodard by Herman Brown et ux by deed dated June 6, 1934, and recorded in Volume 516, page 181, of the Travis County Deed Records, which property abuts the east side of Guadalupe Street and the north side of 45th Street and being situated at the northeast corner of the intersection of said streets and being locally known as 4505 Guadalupe Street, has made application to the City Council of the City of Austin for permission to construct one 28-foot commercial driveway across the east sidewalk area of Guadalupe Street, the center of which driveway will be 200 feet north of the north curb line of West 45th Street, and to construct one 10-foot commercial driveway across the east sidewalk area of Guadalupe Street, the center of which driveway will be 152.5 feet north of the north curb line of West 45th Street, as shown upon the plan hereto attached marked 2-C-727, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT J. S. Woodard, owner of property at the northeast corner of West 45th and

Guadalupe Streets and which property consists of two tracts of land, viz., the first tract conveyed to J. S. Woodard by Ramsey Austin Nursery by deed dated April 11, 1931, and recorded in Volume 466, page 390, of the Travis County Deed Records, and the second tract conveyed to J. S. Woodard by Herman Brown et ux by deed dated June 6, 1934, and recorded in Volume 516, page 181, of the Travis County Deed Records, which property abuts the east side of Guadalupe Street and the north side of 45th Street and being situated at the northeast corner of the intersection of said streets and being locally known as 4505 Guadalupe Street, is hereby permitted to construct one 28-foot commercial driveway across the east sidewalk area of Guadalupe Street, the center of which driveway will be 200 feet north of the north curb line of West 45th Street, and to construct one 10-foot commercial driveway across the east sidewalk area of Guadalupe Street, the center of which driveway will be 152.5 feet north of the north curb line of West 45th Street, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-727, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the supervision and direction of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford introduced the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in BRIDLE PATH westerly 432 feet from a point 118 feet west of the west line of Elton Lane, the centerline of which gas main shall be $1\frac{1}{2}$ feet south of and parallel to the north line of said Bridle Path.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in STAMFORD LANE from a point $7\frac{1}{2}$ feet south of the north line of said Stamford Lane and $17\frac{1}{2}$ feet west of the east line of said Stamford Lane;

Thence northeasterly, 45° to a point $7\frac{1}{2}$ feet west of the east line of Stamford Lane;

Thence northerly to a point $13\frac{1}{2}$ feet south of the north line of West 24th Street, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Stamford Lane.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in WEST TWENTY-FOURTH STREET from a point $7\frac{1}{2}$ feet west of the east line of Stamford Lane to a point $7\frac{1}{2}$ feet west of the east line of Spring Lane, the centerline of which gas main shall be $13\frac{1}{2}$ feet south of and parallel to the north line of said West 24th Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in SPRING LANE from a point $13\frac{1}{2}$ feet south of the north line of West 24th Street to a point $7\frac{1}{2}$ feet south of the north line of Indian Trail, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Spring Lane.

Said gas main described above shall have a cover of not less than 2½ feet.

(5) A gas main in INDIAN TRAIL from a point 7½ feet west of the east line of Spring Lane to a point 445 feet east of the east line of Spring Lane, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Indian Trail.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

A letter addressed to W. T. Caswell, Chairman of the Park Board, from Webb Roberts, Director Memorials and Markers Centennial Division, Board of Control, asking for permission to place a marker commemorating the site of the Headquarters of the United States Army for the Fifth Military District on the parkway at the intersection of East Avenue and First Street, was received. Councilman Alford moved that the request be granted. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford moved that in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division, the taxicab driver's permit issued to Raymond A. Miller, 907 Willow Street, be revoked. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mayor Miller moved that a Traffic Safety Commission be appointed, the personnel of such Commission being as follows: A. B. Shierlow, Lee Don, Geo. S. Nalle, Chas. Green, Gordon Fulcher, Fred Leser, J. A. McKinnon, H. W. Bull, W. P. Lacy, J. E. McClain, Dr. I. I. Nelson, Roger Busfield, Dennis Macken, Wm. J. Weeg, John Keen, Horace Shelton, H. W. McDade, Reverend Daniel Grieder, David Lamme, Horace Barnhart, A. S. Hull, Noel Amstead, Dean V. I. Moore, C. A. Schutze, Mrs. Violet Spiller, Homer Garrison, Mrs. A. P. Robinson, Carroll Monroe, Mrs. Alden Davis, Hardy Hollers, Dr. S. Esquivel, Albert Boggess, Jr., Harry Pruett, Dr. Stewart McCorckle, J. T. Ward, Herman Agnew, Ted Wendlandt, and Jack Padgitt, Dr. A. F. Beverly, K. Schemedes, S. C. McIntosh, D. V. Pervington; Ex-Officio, Guiton Morgan, R. D. Thorp, Roy J. Smith, Curtis Mosteller, J. E. Motheral, Trueman O'Quinn.

The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Upon motion, seconded and carried, the meeting was recessed at 1:00 P. M., subject to call of the Chairman.

Approved: Tom Miller.
Mayor

Attest:

Wallis McKeear
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 10, 1938.

The City Council of the City of Austin, Texas, met in regular session at the regular meeting place at the City Hall in said City, on February 10, 1938, at 10:00 A.M. The meeting was called to order by Mayor Tom Miller, and on the roll call the following members of the City Council were found to be present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf. The following member was absent, Councilman C. M. Bartholomew.

The reading of the Minutes was dispensed with.

The following resolution was introduced:

WHEREAS, taxes have been assessed against C. D. Kinney for the years 1925, 1926, 1927, and 1936, on Lots 17 and 18, Block 1, Plat 108-D, Barton Springs Park, in the City of Austin, Travis County, Texas, said taxes aggregating the sum of \$16.66, interest for non-payment thereof at maturity, \$10.66, and penalty assessed in the sum of \$.84 against said property, making a total taxes, penalty and interest, \$28.16; and

WHEREAS, it is deemed wise and equitable by the City Council to remit the sum of \$7.32 of said interest, and said penalty in the sum of \$.84, amounting to \$8.16 total remission; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the interest on the aforesaid taxes in the sum of \$7.32, and said penalty in the sum of \$.84, making a total of \$8.16, is hereby remitted, on condition that said taxes be paid promptly, and the City Assessor and Collector of taxes is hereby authorized and directed to charge said sum of \$8.16, penalty and interest remitted off his rolls and to issue to said C. D. Kinney a receipt in full on the payment of